

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:08CR3164
)	
JOSE ANTONIO GARCIA,)	
)	
Defendant.)	

ORDER

THIS MATTER comes before the Court on defendant's Unopposed Motion to Continue Trial, filing 53, from May 11, 2009, for approximately 45 to 60 days after said date. The Court, being fully advised in the premises, and noting that the government has no objection to said continuance, finds that said motion should be granted.

IT IS THEREFORE ORDERED that the defendant's trial shall be continued until the 6th day of July, 2009, at 9:00 a.m. The defendant is ordered to appear at said time. This Court further finds that, based upon the showing set forth in defendant's motion, the ends of justice will be served by continuing defendant's trial. Further, that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, the time from today's date until the date next set for trial shall be excludable time pursuant to 18 U.S.C. §3161(h)(8)(A).

Dated this 28th day of April, 2009.

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge